



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2012 REGULAR SESSION

HOUSE BILL NO. 328

FRIDAY, FEBRUARY 10, 2012

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE April 11, 2012
2:44pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Mary Sue Nelson

1 AN ACT relating to the operation of a motorcycle.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 186.450 is amended to read as follows:

4 (1) A person who is at least sixteen (16) years of age may apply for an instruction
5 permit to operate a motor vehicle. A person who possesses a valid intermediate
6 motor vehicle operator's license issued under KRS 186.452 or a person who is at
7 least eighteen (18) years of age may apply for an instruction permit to operate a
8 motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may
9 also operate a moped under that permit. A person applying for an instruction permit
10 under this section shall make application in the office of the circuit clerk in the
11 county where the person lives. A person applying for an instruction permit shall be
12 required to comply with the following:

13 (a) If the person is under the age of eighteen (18), the instruction permit
14 application shall be signed by the applicant's parent or legal guardian. If the
15 person does not have a living parent or does not have a legal guardian, the
16 instruction permit application shall be signed by a person willing to assume
17 responsibility for the applicant pursuant to KRS 186.590; and

18 (b) All applicants for an instruction permit shall comply with the examinations
19 required by KRS 186.480.

20 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
21 applicant shall be issued an instruction permit upon payment of a six dollar (\$6) fee
22 pursuant to KRS 186.531.

23 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)
24 years and may be renewed. An instruction permit to operate a motorcycle
25 shall be valid for one (1) year and may be renewed one (1) time.

26 (b) ~~Except as provided in KRS 186.415,~~ a person who has attained the age of
27 sixteen (16) years and is under the age of eighteen (18) years shall have the

1 instruction permit a minimum of one hundred eighty (180) days before
 2 applying for an intermediate license and shall have an intermediate license for
 3 a minimum of one hundred eighty (180) days before applying for an operator's
 4 license.

5 (c) A person who was under eighteen (18) years of age at the time of application
 6 for an instruction permit and is eighteen (18) years of age or older shall have
 7 the instruction permit a minimum of one hundred eighty (180) days and
 8 complete a driver training program under KRS 186.410(4) before applying for
 9 an operator's license.

10 (d) A person who is at least eighteen (18) years of age and is under the age of
 11 twenty-one (21) years at the time of application for an instruction permit shall
 12 have the instruction permit a minimum of one hundred eighty (180) days
 13 before applying for an operator's license.

14 (e) A person who is at least twenty-one (21) years of age at the time of
 15 application for an instruction permit shall have the instruction permit a
 16 minimum of thirty (30) days before applying for an operator's license.

17 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction
 18 permit has expired may apply to the circuit clerk to receive a motorcycle
 19 operator's license or endorsement if the person presents proof of successful
 20 completion of a motorcycle safety education course approved by the Justice
 21 and Public Safety Cabinet under KRS 15A.350 to 15A.366.

22 (4) A person shall have the instruction permit in his possession at all times when
 23 operating a motor vehicle, motorcycle, or moped upon the highway. When
 24 operating a motor vehicle, a motor vehicle instruction permit holder shall be
 25 accompanied by a person with a valid operator's license who is at least twenty-one
 26 (21) years of age occupying the seat beside the operator at all times.

27 (5) A person with an instruction permit who is under the age of eighteen (18) shall not

1 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
2 and 6 a.m. unless the person can demonstrate good cause for driving, including but
3 not limited to emergencies, involvement in school-related activities, or involvement
4 in work-related activities.

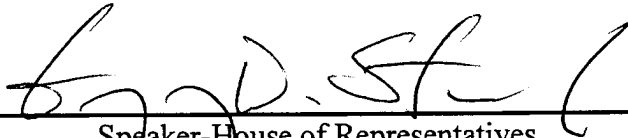
5 (6) Except when accompanied by a driver training instructor affiliated with a driver
6 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
7 school, a person with an instruction permit who is under the age of eighteen (18)
8 years shall not operate a motor vehicle at any time when accompanied by more than
9 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
10 shall not stop or seize a person nor issue a uniform citation for a violation of this
11 subsection if the officer has no other cause to stop or seize the person other than a
12 violation of this subsection. This subsection shall not apply to any operator of a
13 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
14 agricultural activities.

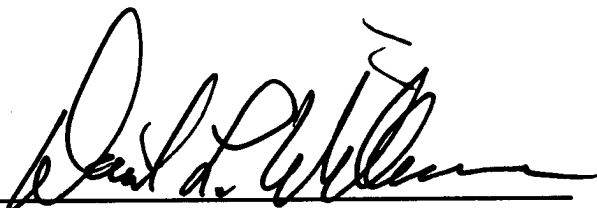
15 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
16 moving violation under KRS Chapter 189 for which points are assessed by the
17 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
18 minimum of one hundred eighty (180) days from the date of the violation before a
19 person who is under the age of eighteen (18) years may apply for an intermediate
20 license to operate a motor vehicle, motorcycle, or moped.

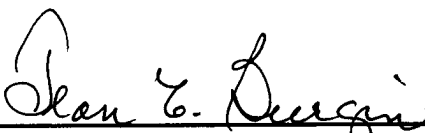
21 (8) A person under the age of eighteen (18) who accumulates more than six (6) points
22 against his driving privilege may have the driving privilege suspended pursuant to
23 KRS Chapter 186 or probated by the court.

24 (9) An applicant for relicensing after revocation shall pay the clerk a fee of twenty-five
25 dollars (\$25). The twenty-five dollar (\$25) fee shall not apply to any person whose
26 license was suspended for failure to meet the conditions described in KRS 186.411
27 when, within one (1) year of suspension, the driving privileges of such individuals

1 are reinstated and persons reinstated pursuant to KRS 159.051.


Speaker-House of Representatives


President of Senate

Attest: 
Chief Clerk of House of Representatives

Approved 
Governor

Date 4-11-12